



**JUSTICE CABINET
DEPARTMENT OF
JUVENILE JUSTICE
POLICY AND PROCEDURES**

**REFERENCES:
505 KAR 1:140
3-JDF-5G-13, 14, 15**

CHAPTER: Detention Services

**AUTHORITY: KRS
15A.065**

SUBJECT: Family and Community Contact

POLICY NUMBER: DJJ 720.6

TOTAL PAGES: 4

EFFECTIVE DATE: October 5, 2018

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I. POLICY

Juveniles shall have the right to receive visits, subject only to the limitations necessary to maintain the order and security of the detention center. Juveniles shall have the right to send mail, except commercial enterprise ventures, and shall be provided postage for two letters per week. Juveniles shall be provided access to the telephone within the limits of the orderly operation of the facility, in order to maintain community and family ties. Contact with attorneys shall be facilitated through unlimited legal correspondence, reasonable postage provided by the facility, and placing or receiving calls.

II. APPLICABILITY

This policy shall apply to all regional juvenile detention centers.

III. DEFINITION

Refer to Chapter 700.

IV. PROCEDURES

A. General

The facility administration shall encourage the juveniles to maintain ties with families through regular visits, including opportunity for physical contact, and informal communication.

B. Visitation

1. Procedures regarding visitation shall be included in each facility's standard operating procedures and the resident handbook and made available to staff and juveniles. Facilities shall develop standard operating procedures that are consistent with this policy and include:
 - a. Detailed visitation hours;
 - b. Location and directions to the facility;
 - c. Facility phone numbers;

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- d. Information about local public transportation;
 - e. Approved dress code;
 - f. Items authorized in visitation rooms;
 - g. Special rules for children
 - h. Authorized items that visitors may bring to the juvenile;
 - i. How special visits outside normal hours are approved;
 - j. Documentation of visits;
 - k. Rules for supervised visitation;
 - l. Circumstance under which visits are supervised;
 - m. Visitor sign-in and sign-out; and,
 - n. Distribution of facility rules and regulations.
2. Programs may retain identification of visitors at sign in until the completion of visitation.
 3. Visitors shall be required to be scanned with a metal detector. If probable cause exists that a visitor is in possession of weapons or contraband, the person may be asked to submit to a pat-down or frisk search, or be denied entry.
 4. While visitation shall be encouraged, any visitor may be excluded from contact with a juvenile and the program under the following:
 - a. It is established that the visitor was involved in the juvenile's offense;
 - b. A visitor refusing to follow facility rules or procedures;
 - c. Posing a threat to the safety of the youth or the security of the facility;
 - d. Any visitor who refuses a request to be searched by facility staff;
 - e. Appears to be under the influence of drugs or alcohol; or,
 - f. Has been a disruption to the program.
 5. Programs shall develop security and documentation procedures for exclusion of visitors.
 6. Visitation may also be denied by the Superintendent if the juvenile is in room confinement or if behavior presents a threat to others.
 7. Any group wishing to visit the program or a specific juvenile shall be required to have the advance approval of the Superintendent.

C. Mail

Procedures governing correspondence of juveniles shall be included in each program's standard operating procedures and resident handbook and made available to staff and juveniles. Facility regulations pertaining to mail shall be available to parents and caregiver upon request. These procedures shall be reviewed annually and updated as needed and shall include the following:

1. A mail log shall be maintained as documentation of receipt and delivery of mail and packages.

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2. Except as provided by this policy and a substantial reason, if the juvenile bears the mailing cost, there shall be no limit on the volume of mail a juvenile may send or receive. A substantial reason restriction shall be based upon safety and security, shall be approved by the Superintendent, and shall be recorded in the juvenile's record.
3. Resident mail with gang writing on the outside or sent from incarcerated individuals may be delivered, returned, or placed in the juvenile's secured possessions at the discretion of the Superintendent.
4. A juvenile's mail, both incoming and outgoing, shall not be read by staff except for substantial reason. A substantial reason restriction shall be based upon safety and security, be approved by superintendent, and be recorded in the juvenile's record. If mail is to be read by staff, the juvenile shall be informed in advance and be present when the mail is opened. No juvenile shall be forced to read his mail aloud.
5. Juveniles may send and receive sealed letters to and from court, counsel, and officials of the Department of Juvenile Justice or Justice Cabinet. Staff, in the presence of the juvenile, may be allowed to inspect outgoing privileged mail for contraband before it is sealed. Mail to a juvenile from this specific class of persons and organizations may be opened only to inspect for contraband and only in the presence of the juvenile, unless waived in writing, or in circumstances which may indicate contamination. All other incoming mail and packages shall be opened in the presence of staff to guard against contraband. Cash, checks, or money orders removed from incoming mail shall be secured and returned to the juvenile upon discharge. These items may also be returned to the sender with the approval of the Superintendent or designee, notification to the juvenile, and appropriate documentation in the juvenile's case record.
6. There shall be restrictions as to which publications shall be allowed to be delivered to juveniles in the facility and such restrictions shall be directly related to the maintenance of facility order and security. Each facility's Superintendent, in conjunction with the Facility Regional Administrator, shall determine the publication restrictions of their facility.
7. Mail shall not be held more than 24 hours and packages not more than 48 hours, excluding weekends and holidays. In emergency situations in which the normal facility procedures, policy, or activity is disrupted by riot, escape, fire, natural disaster, employee action, or other serious incident, mail shall be delivered according to schedule when normal procedures and activities are restored. All first class letters and packages received for juveniles who have been transferred or released shall be forwarded to the address designated by the resident.

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D. Telephone

1. Procedures governing telephone use of a juvenile shall be included in each program's Standard Operating Procedures Manual and Resident Handbook and made available to staff and juveniles. These procedures shall be reviewed annually and updated as needed.
2. Juvenile shall have access to reasonably priced telephone services and shall be assured that all contracts involving telephone services comply with all applicable state and federal regulations. All rates and charges shall be commensurate with those charged to the general public for like services, and any deviations from ordinary consumer rates reflects actual costs associated with the provision of services within the correctional setting. Contracts for juvenile telephone services shall provide the broadest range of calling options determined by the agency to be consistent with the requirements of sound correctional management.
3. Telephones with volume control shall be made available to juveniles with hearing impairments.
4. Juvenile with hearing and/or speech disabilities, shall be afforded access to a Telecommunications Device for the Deaf (TDD), or comparable equipment.
5. A log of telephone calls made and received shall be maintained for each juvenile. The log will be retained within the juvenile's record.
6. Facilities shall provide for transmitting urgent messages directly to juveniles. Messages of a non-urgent matter may be directed to the juveniles Youth Counselor to be disbursed.

E. Notification of Death or Critical Illness of Immediate Family Member

All juveniles shall be informed in a timely manner of the verifiable death or critical illness of an immediate family member. In case of the critical illness of an immediate family member, the juvenile shall be allowed, whenever statutes, court orders, or circumstances allow, to go to the bedside under escort or alone.

V. MONITORING MECHANISM

This activity shall be monitored by the Superintendent. The Quality Assurance Branch shall conduct annual program audits.